

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT SCHLEAR,

Plaintiff,

v.

CARPENTERS PENSION AND ANNUITY
FUND OF PHILADELPHIA AND VICINITY,

Defendant.

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CIVIL ACTION

NO. 22-1843

ORDER

AND NOW, this 18th day of May, 2023, upon consideration of Defendant Carpenters Pension and Annuity Fund of Philadelphia and Vicinity's Motion to Dismiss (Doc. No. 11), Plaintiff Robert Schlear's Response (Doc. No. 12), Defendant's notice of supplemental authority (Doc. No. 13), and Plaintiff's response to the notice of supplemental authority (Doc. No. 14), it is hereby **ORDERED** that the Motion is **DENIED**. Defendant shall file an answer to the Complaint within **fourteen (14) days** from the date of this Order.

BY THE COURT:

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG, J.